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Attorney for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

LOVELAND ACADEMY, L.L.C.,
PATRICIA DUKES, PH.D., and
PARENTS AT LOVELAND
SCHOOL

Plaintiff,

vs.

PATRICIA HAMAMOTO,
Superintendent of the Hawai'i
Department of Education,
HERBERT WATANABE,
Chairperson, Hawai'i Board of
Education,

Defendants.

CV02-00693 HG/LEK

(Other Civil Action)

**STATEMENT OF CONSULTATION;
CERTIFICATE OF SERVICE**

NON-HEARING MOTION

JUDGE: Hon. Leslie E. Kobayashi

STATEMENT OF CONSULTATION

Pursuant to LR 54.3, Plaintiffs' attorney, Carl M. Varady, initiated consultation

regarding attorneys' fees and costs, now before this Court on Plaintiffs' motion for an award of attorneys' fees and costs [Filed May 20, 2008]. The consultation occurred on May 23, 2008, by offer of settlement made by Plaintiffs by telephone conversation with Deputy Attorney General Aaron Schulaner. On May 30, 2008, Mr. Schulaner informed Plaintiffs' attorney that the offer of settlement made by Plaintiffs on May 23, 2008, was rejected and that Defendant instead would proceed to have the matter ultimately decided by this Court. Therefore, consultation did not resolve the Plaintiffs' requests for fees and costs.

DATED: Honolulu, Hawai'i, May 30, 2008.

/S/ Carl M. Varady

CARL M. VARADY
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I certify that the attached document was through the CM/ECF system,
on the date below addressed to:

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DATE: Honolulu, Hawai'i, May 30, 2008.

/S/ Carl M. Varady
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